

MCINTYRE THANASIDES

Reply to:
Paul Thanasides
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April 12, 2021

VIA ECF

Hon. Brian M. Cogan
U.S. District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Full Circle United, LLC v. Bay Tek Entertainment, Inc.*, No. 20-cv-3395-BMC

Dear Judge Cogan:

We write on behalf of all parties in this case to respectfully request an extension of dates provided in the Case Management Plan (ECF No. 23) so that the parties have additional time to complete discovery and related activities, and entry of the proposed order annexed hereto reflecting proposed modified dates. Good cause exists for the requested extension.

First, the parties have worked diligently on exchanging and narrowing their respective search terms and protocols list, but the amount of ESI remains tremendous and continued work is needed to reduce the volume of hits. Second, a number of discovery disputes on both sides remain pending despite attempts by the parties to resolve them. The parties have a discovery conference set for Tuesday, April 13, to continue working through their respective discovery issues without intervention by the Court.

Accordingly, the parties request an extension of the deadline to complete fact discovery by three months, *i.e.*, from June 11, 2021 until September 13, 2021, and an extension to the interim deadline for service of subpoenas by forty-five (45) days, until May 27, 2021.

This is the first request for a discovery extension that has been made in this case. If granted, it would affect the deadline for filing letters requesting pre-motion conferences to file dispositive motions, since the deadline is calculated as one week after the current discovery cut-off date. It would also affect a number of interim deadlines for discovery activities provided in the attachment to the Case Management Plan (ECF No. 23).

If the request for discovery extension is granted, the parties ask that the Court grant commensurate extensions of time to complete these activities, so that the deadline for filing pre-motion conference letters is a week after the extended discovery cut-off date, September 20, 2021, and the extensions to other interim deadlines to complete discovery activities are as reflected on the proposed order.

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Respectfully,

/s/ Paul Thanasides

Paul Thanasides

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FULL CIRCLE UNITED, LLC,

Plaintiff,

v.

BAY TEK ENTERTAINMENT, INC.,

Defendant.

Civ. Action No. 1:20-cv-03395

**[PROPOSED] ORDER EXTENDING
DISCOVERY DEADLINES
IN CASE MANAGEMENT PLAN**

BAY TEK ENTERTAINMENT, INC.,

Counterclaim Plaintiff,

v.

FULL CIRCLE UNITED, LLC,

Counterclaim Defendant,

and

ERIC PAVONY,

*Additional Counterclaim
Defendant.*

The following modifications are hereby made to the dates provided in the Case Management Order and interim deadlines on Attachment A thereto:

Activity	Current Date	Modified Date
Completion of Non-Expert Discovery	June 11, 2021	September 13, 2021
Last Day to File Premotion Letter	June 18, 2021	September 20, 2021

Party Depositions	June 11, 2021	September 13, 2021
Service of Rule 45 Subpoenas	April 12, 2021	May 27, 2021
Parties serve initial expert reports in support of claims or counterclaims	July 28, 2021	November 26, 2021
Parties serve responsive expert reports in opposition to claims or counterclaims	September 13, 2021	January 18, 2022
Parties serve rebuttal expert reports in support of claims or counterclaims	October 4, 2021	February 4, 2022
Expert depositions complete	November 12, 2021	February 28, 2022

SO ORDERED:
